

07-10-01

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

|                        |   |
|------------------------|---|
| Attorney Docket No.    | 678-707 (P9827)                                 |
| First Inventor         | Min-Goo KIM                                     |
| Title                  | Method and Apparatus For Flexible Data Rate ... |
| Express Mail Label No. | EL 918828707 US                                 |

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 32]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
- Oath or Declaration [Total Pages 2]
  - ☒ Newly executed (original or copy)
  - ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☒ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

|   |                                     |   |   |
|---|-------------------------------------|---|---|
| <input type="checkbox"/> Continuation         | <input type="checkbox"/> Divisional | <input type="checkbox"/> Continuation-in-part (CIP) | of prior application No.: _____ / _____ |
| Prior application information: Examiner _____ |                                     | Group Art Unit: _____                               |   |

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

|  |   |           |  |
|--|---|-----------|--|
| <input type="checkbox"/> Customer Number or Bar Code Label | (Insert Customer No. or Attach bar code label here) | or        | <input checked="" type="checkbox"/> Correspondence address below |
| Name   | Paul J. Farrell, Esq.                               |           |  |
| Address  | DILWORTH & BARRESE, LLP                             |           |  |
|  | 333 Earle Ovington Blvd.                            |           |  |
| City   | Uniondale   | State     | New York   |
|  |   | Zip Code  | 11553  |
| Country  | U.S.A   | Telephone | (516) 228-8484   |
|  |   | Fax       | (516) 228-8516   |

|                   |                        |                                   |              |
|-------------------|------------------------|-----------------------------------|--------------|
| Name (Print/Type) | Paul J. Farrell        | Registration No. (Attorney/Agent) | 33,494       |
| Signature         | <i>Paul J. Farrell</i> | Date                              | July 9, 2001 |

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828707 US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Dated: July 9, 2001

*Douglas M. Owens*  
Douglas M. Owens

JC971 U.S. PTO  
09/901397  
07/09/01

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 910.00

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | Not yet assigned |
| Filing Date          | July 9, 2001     |
| First Named Inventor | Min-Goo KIM      |
| Examiner Name        |                  |
| Group Art Unit       | Not yet assigned |
| Attorney Docket No.  | 678-707 (P9827)  |

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 04-1121  
Deposit Account Name: DILWORTH & BARRESE, LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 101 710                    | 201 355                    | Utility filing fee     | \$710.00 |
| 106 320                    | 206 160                    | Design filing fee      |          |
| 107 490                    | 207 245                    | Plant filing fee       |          |
| 108 710                    | 208 355                    | Reissue filing fee     |          |
| 114 150                    | 214 75                     | Provisional filing fee |          |

SUBTOTAL (1) (\$ ) 710.00

### 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 20                 | -20** = 0    | 18             | \$0      |
| 5                  | -3** = 2     | 80             | \$160    |
| Multiple Dependent |              | 270            | 0        |

\*\*or number previously paid, if greater; For Reissues, see below

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 103 18                     | 203 9                      | Claims in excess of 20                                     |
| 102 80                     | 202 40                     | Independent claims in excess of 3                          |
| 104 270                    | 204 135                    | Multiple dependent claim, if not paid                      |
| 109 80                     | 209 40                     | ** Reissue independent claims over original patent         |
| 110 18                     | 210 9                      | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ ) 160.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 105 130                    | 205 65                     | Surcharge - late filing fee or oath  |          |
| 127 50                     | 227 25                     | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130                    | 139 130                    | Non-English specification  |          |
| 147 2,520                  | 147 2,520                  | For filing a request for ex parte reexamination                            |          |
| 112 920*                   | 112 920*                   | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*                 | 113 1,840*                 | Requesting publication of SIR after Examiner action                        |          |
| 115 110                    | 215 55                     | Extension for reply within first month                                     |          |
| 116 390                    | 216 195                    | Extension for reply within second month                                    |          |
| 117 890                    | 217 445                    | Extension for reply within third month                                     |          |
| 118 1,390                  | 218 695                    | Extension for reply within fourth month                                    |          |
| 128 1,890                  | 228 945                    | Extension for reply within fifth month                                     |          |
| 119 310                    | 219 155                    | Notice of Appeal   |          |
| 120 310                    | 220 155                    | Filing a brief in support of an appeal                                     |          |
| 121 270                    | 221 135                    | Request for oral hearing   |          |
| 138 1,510                  | 138 1,510                  | Petition to institute a public use proceeding                              |          |
| 140 110                    | 240 55                     | Petition to revive - unavoidable   |          |
| 141 1,240                  | 241 620                    | Petition to revive - unintentional   |          |
| 142 1,240                  | 242 620                    | Utility issue fee (or reissue)   |          |
| 143 440                    | 243 220                    | Design issue fee   |          |
| 144 600                    | 244 300                    | Plant issue fee  |          |
| 122 130                    | 122 130                    | Petitions to the Commissioner  |          |
| 123 50                     | 123 50                     | Processing fee under 37 CFR 1.17(q)  |          |
| 126 240                    | 126 240                    | Submission of Information Disclosure Stmt                                  |          |
| 581 40                     | 581 40                     | Recording each patent assignment per property (times number of properties) | \$40     |
| 146 710                    | 246 355                    | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149 710                    | 249 355                    | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 710                    | 279 355                    | Request for Continued Examination (RCE)                                    |          |
| 169 900                    | 169 900                    | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 40.00

## SUBMITTED BY

|                   |                 |                                   |              |           |                |
|-------------------|-----------------|-----------------------------------|--------------|-----------|----------------|
| Name (Print/Type) | Paul J. Farrell | Registration No. (Attorney/Agent) | 33,494       | Telephone | (516) 228-8484 |
| Signature         |                 | Date                              | July 9, 2001 |           |                |

## CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828707 US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Dated: July 9, 2001

Douglas M. Owens

PATENT

Atty. Docket No. 678-707 (P9827)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. § 1.76**

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Min-Goo KIM, Jin-Soo PARK and Young-Hwan LEE

For: METHOD AND APPARATUS FOR FLEXIBLE DATA RATE MATCHING  
BY SYMBOL INSERTION FOR A DATA COMMUNICATION SYSTEM

Enclosed are:

- [X] 25 page(s) of specification  
[X] 1 page(s) of Abstract  
[X] 6 page(s) of claims  
[X] 9 sheets of drawings [X] formal [] informal  
[X] 2 page(s) of Declaration and Power of Attorney

ASSIGNEE NAME: SAMSUNG ELECTRONICS CO., LTD.

ASSIGNEE RESIDENCE: KYUNGKI-DO, KOREA

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date July 9, 2001 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828707 US addressed to: Attn: Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Douglas M. Owens

(Type or print name of person mailing paper)

  
(Signature of person mailing paper)

T06040 465T0650

☐ This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:

FILING DATE

\_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_

☒ Certified copy of applications

| <u>Country</u> | <u>Appln. No.</u> | <u>Filed</u>  |
|----------------|-------------------|---------------|
| KOREA          | 39070 /2000       | July 8, 2000  |
| KOREA          | 39157 /2000       | July 8, 2000  |
| KOREA          | 42547 /2000       | July 19, 2000 |

from which priority under Title 35 United States Code, § 119 is claimed  
☐ is enclosed.

☒ will follow.

CALCULATION OF UTILITY APPLICATION FEE

| For  | Number Filed | Number Extra | Rate         | Basic Fee<br>\$710.00 |
|--|--------------|--------------|--------------|-----------------------|
| TOTAL CLAIMS                                 | 20           | 0            | x 18 =       | \$ 0.00               |
| INDEPENDENT CLAIMS                           | 5            | 2            | x 80 =       | \$ 160.00             |
| <input type="checkbox"/> Multiple Dep. Claim | 0            |              | \$270        | \$ 0.00               |
|  |              |              | <b>TOTAL</b> | <b>\$ 870.00</b>      |

☒ The amount of \$40.00 for recording the attached Assignment is enclosed as a separate check.

☒ Checks in the amount of \$ 870.00 to cover the ☒ filing fee(s), and \$40.00 to cover the ☒ recording fee are attached.

[ ] Charge fee to Deposit Account No. 04-1121. Order No. \_\_\_\_\_  
TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and 1.17, at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Date: July 9, 2001



Paul J. Farrell  
Reg. No. 33,494

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